

**AIR INTELLIGENCE AGENCY (AIA)**  
**ALTERNATIVE DISPUTE RESOLUTION (ADR) PLAN**  
**FOR WORKPLACE DISPUTES**

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**June 2005**

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**AIA**  
***Alternative Dispute Resolution (ADR) Plan***  
***For Workplace Disputes***

## **I. INTRODUCTION**

In passing the Administrative Dispute Resolution Act of 1996 (ADRA of 1996), Congress recognized that agency dispute resolution proceedings had become increasingly formal, costly and lengthy resulting in unnecessary expenditures of time and a decreased likelihood of achieving consensual resolution of disputes.<sup>1</sup> Congress also found that Alternative Dispute Resolution (ADR) procedures yield decisions that are faster, less expensive and less contentious than traditional agency dispute resolution proceedings and that ADR can lead to more creative, efficient, and sensible outcomes.

Air Force Policy Directive (AFPD) 51-12, *Alternative Dispute Resolution*, implements the ADRA of 1996 and establishes a program to comply with and implement mandates to foster ADR in a manner that minimizes unnecessary duplication of effort within the Air Force.<sup>2</sup> AFI 51-1201, *Alternative Dispute Resolution in Workplace Disputes*, prescribes the Air Force program and procedures for resolving disputes. It assigns responsibility for carrying out the program and various levels within the Air Force. The instruction also requires major commands and installations to develop and implement ADR plans. This plan formally establishes the AIA ADR Program and provides implementing guidelines for organizational programs and operational plans.

## **II. PURPOSE, GOALS, AND VISION**

The AIA ADR Program is designed to: (1) enhance the frequency and efficiency of workplace dispute resolution throughout the command; (2) match AIA ADR needs with appropriate resources; and (3) translate individual dispute resolution knowledge and skills into a corporate capability.

The goal of the AIA ADR Plan is to implement an Agency-wide program that provides a framework and process for the development of procedures for all functionally and administratively assigned organizations and personnel under the appointing authority of the AIA Commander.

The AIA ADR vision is to promote the use of ADR to the maximum extent practicable and appropriate to resolve workplace disputes at the earliest stage possible, by the fastest and least expensive method possible, and at the lowest possible organizational level.

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<sup>1</sup> See Congressional findings in Section 2 of Pub. L. No. 104-320, 110 Stat. 3870 (1996).

<sup>2</sup> See Department of Defense Directive 5154.5 (Apr. 96), para. D. that states:

1. Each DoD Component shall establish and implement ADR policies and programs. Each Component shall make use of existing government ADR resources to avoid unnecessary expenditure of time and money.
2. All DoD Components shall use ADR techniques as an alternative to litigation or formal administrative proceedings whenever appropriate. Every dispute, regardless of subject matter, is a potential candidate for ADR.
3. Each DoD Component shall review existing approaches to dispute resolution and, where feasible, foster increased use of ADR techniques. Components shall identify and eliminate unnecessary barriers to the use of ADR.

### **III. SCOPE**

The scope of this plan incorporates opportunity for voluntary ADR of workplace disputes that arise in any context and involve any organization within AIA or otherwise under the appointing authority or administrative jurisdiction of AIA. ADR techniques should be available to assist in resolving matters raised within Equal Employment Opportunity (EEO), Administrative Grievance System (AGS), Merit Systems Protection Board (MSPB), and/or any other potential source of workplace disputes, as defined in AFI 51-1201, para.19. Although ADR is used to varying degrees to resolve disputes falling in other arenas, such as procurement, environmental, and legal, this plan does not cover those types of disputes. Local variations of this plan to accommodate local conditions at each AIA site are authorized, subject to coordination by AIA/CCD prior to local Wing or Center Commander, or Director approval.

### **IV. ADR PROGRAM STRUCTURE**

#### **A. HQ USAF**

AFPD 51-12 establishes the Air Force ADR policy and program infrastructure. AFI 51-1201, promulgated pursuant to the PD, sets forth the Air Force vision for employing ADR in a wide variety of contexts, including workplace disputes, contracts, and environmental issues. Consistent with AFI 51-1201, the organizations below have the following responsibilities:

##### **1. SAF/GCD**

The Office of the General Counsel (SAF/GCD) has overarching responsibility for coordinating and assisting in the development of component (i.e. Acquisition, Environmental, and Workplace) ADR plans and is responsible for establishing and implementing Air Force ADR policy, guidance, and regulations. SAF/GCD secures funding in the Air Force Program Objectives Memorandum (POM) and uses these corporate funds to provide for ADR related training, travel, and services. SAF/GCD works closely with MAJCOM and installation level functional offices to match ADR training, implementation, and guidance needs with existing Air Force resources.

##### **2. AF/DP**

The Directorate of Personnel Policy, AF/DPP, is the OPR for exercising this function (Ref: AFI 51-1201, para. 6). The Deputy Chief of Staff for Personnel works with SAF/GCD to provide guidance on the use of ADR in civilian and military equal opportunity and labor-management relations programs.

##### **3. AF/JA**

The Judge Advocate General makes recommendations to SAF/GCD on Air Force ADR policy and procedures with respect to workplace disputes, coordinates on execution of workplace disputes policy and works with the Air Force ADR Program Steering Committee to provide training and guidance for Air Force judge advocates, paralegals and civilian attorneys.

## **B. HQ AIA**

The office charged to execute the ADR program is the Equal Employment Division (AIA/CCD). The Equal Employment (EE) Manager is designated as the Agency ADR Champion, and serves as the ADR program/process owner. The ADR Champion is responsible for designing, implementing, and administering the Agency ADR plan; ensuring the development of each AIA organization's individual plan; if applicable, providing oversight of the ADR program within the Agency; assisting with securing program funding and training; and annually assessing progress of the Agency-wide program through the annual collection of reporting data from all organizations.

## **V. THE AIA ADR PLAN FOR WORKPLACE DISPUTES**

### **A. Agency-Level Structure**

#### **1. Wing and Center Commanders/Directors**

Each responsible individual, or designee, will:

- a. Issue a written policy encouraging the use of ADR in workplace disputes whenever practicable and appropriate to do so (Ref: AFI 51-1201, para.11.1).
- b. Work with key stakeholders in developing/implementing a Wing, and Center, and Directorate level workplace dispute ADR process, if applicable, consistent with the AIA ADR plan and promote the use of ADR to resolve workplace disputes.
- c. Take appropriate steps to ensure their ADR activity is coordinated across functional lines (i.e., CPO, EEO, and JA) to avoid unnecessary duplication of effort and to ensure the organization's workplace ADR process is explained and understood by all employees. These functions may be accomplished, if deemed necessary and appropriate, by the designation of ADR Functional Area Managers, IAW AFI 51-1201, para. 13.
- d. Approve organization's ADR plan (if applicable) (Ref: AFI 51-1201, para. 11.3, 20).
- e. With the assistance of the ADR Champion, select and appoint individuals to serve as mediators, neutrals, and ADR program administrators (if applicable) (Ref: AFI 51-1201, para. 11.5).
- f. Exercise best efforts to ensure availability of adequate training resources to maintain proficiency of collateral-duty mediators or other neutrals and ADR program administrators (if applicable) (Ref: AFI 51-1201, para. 11.4, 11.5 and 27.3).

#### **2. ADR Champion**

ADR Champions coordinate all workplace ADR efforts within the Agency and among the functional communities.

#### **a. Selection by AIA Commander**

While use of ADR techniques must be voluntary, the commander must be a strong advocate in order for ADR to succeed. The commander must place special emphasis on selection of the ADR Champion. In order to ensure this person is viewed as the most trusted, respected, objective, and fair neutral party by all segments of the workforce. The commander shall solicit and encourage input from all stakeholders, including CPO, EEO, and JA offices. (Ref: AFI 51-1201, para. 11.2).

#### **b. Role and Responsibilities**

The ADR Champion is the single point of contact for all workplace dispute ADR program activity across the Agency, including but not limited to the following elements:

- 1) Program oversight/implementation.
- 2) Data collection/reporting.
- 3) Develop/project annual funding/resource requirements.
- 4) ADR awareness training and programs marketing.
- 5) Mediator training/resource requirement projection.
- 6) Mediator performance evaluation.
- 7) Coordinating ADR activity across functional lines (e.g. CPO, EEO, and JA).
- 8) Selection of trusted neutrals as mediators.
- 9) Other duties as specified in AFI 51-1201, para. 12.

### **3. Agency Staff Judge Advocate (JA)**

The JA provides legal advice to the Agency Commander and ADR Champion in the development and execution of the Agency ADR program. The JA also advises the Commander or designee of the suitability of workplace disputes for ADR, and provides timely advice and guidance on legal issues arising in connection with ADR proceedings, including confidentiality of ADR communications in ADR proceedings other than as a party or party representative, and reviews settlement agreements for legal compliance as provided in Part V.D. below. (Ref: AFI 51-1201, para. 14).

### **4. Agency Civilian Personnel Office (CPO)**

The CPO will assist the Agency ADR Champion in developing and implementing the Agency ADR program, and work with other functional offices, as appropriate, to foster the use of

ADR in non-EEO workplace dispute processes that are targeted for ADR by the Agency ADR plan. These dispute processes can include agency and administrative grievances, MSPB appeals, and other workplace disputes that are outside the EEO complaint system. In addition, the CPO will review settlement agreements for compliance with Air Force, DoD, and federal personnel policies and regulations as provided in Part V.D. below (Ref: AFI 51-1201, para. 15).

## **5. Agency EE Manager (EEO)**

The EE Manager is responsible for ensuring that ADR is available for informal and formal EEO complaints IAW EEOC directives. If applicable, the EE Manager will help the Agency ADR Champion develop and implement the Agency ADR program for use in EEO complaints, and work with other functional offices, as appropriate, to integrate ADR into the EEO complaints program. The EE Manager assures compliance with EEOC and Air Force EEO policies and regulations, as provided in Part V.D. below (Ref: AFI 51-1201, para. 16).

## **6. ADR Functional Area Managers (FAMs)**

If necessary and helpful to effective administration of an organization's ADR plan, the ADR Champion may designate, with the concurrence of the office involved, a Functional Area Manager (FAM) in any office having a functional responsibility for resolving workplace disputes (e.g., Employee Relations, EEO, JA). The FAM will serve as his or her office's primary point of contact for the ADR Champion to facilitate the use of ADR in any dispute resolution process for which that office has a functional responsibility. Designation of FAMs is entirely optional, and will depend largely on the volume and scope of the Agency's workplace disputes activity. ADR Champions who themselves are assigned to an office with workplace disputes responsibility (e.g., CPO, EEO), ordinarily will not designate a FAM for that office (Ref: AFI 51-1201, para. 13).

## **7. Compliance with Equal Employment Opportunity Commission (EEOC) Regulations**

In accordance with EEOC regulations (29 C.F.R. 1614), every AIA organization's workplace dispute ADR Plan must encompass EEO informal and formal complaints. The Agency EE Manager serves as the primary point of contact for disputes involving alleged discrimination and sexual harassment and shall work closely with the ADR Champion on ADR matters related to EEO cases. In addition, the Air Force has deployed the new EEONet web-based case management and data reporting system to standardize EEO and ADR reporting within the Air Force and to the EEOC. Those documents that relate to ADR will also be available on the Air Force ADR Program website at <http://www.adr.af.mil>.

## **8. Appointment of Mediators or Other Neutrals**

a. The ADR Champion may recruit and maintain a pool of qualified individuals to serve as workplace dispute mediators or other neutrals (e.g., facilitators) for organizations on a collateral duty basis. Organizations with minimal workplace dispute/ADR activity (i.e., an annual average of fewer than five (5) disputes) have the option of obtaining mediators and other neutrals from outside



sources as the need arises in lieu of establishing a pool of neutrals. Outside sources include other Air Force installations, other federal agencies, or private sector neutrals. SAF/GCD can assist bases in obtaining the services of outside neutrals on a case-by-case basis.

b. The ADR Champion shall select individuals that are trusted, respected, objective, and fair neutrals to serve as mediators. In addition, the Air Force Mediation Compendium outlines standards that Air Force mediators and case intake officials must maintain when providing mediation services. These standards are consent, self-determination, impartiality, avoidance of conflicts of interest, confidentiality, integrity of the process, and competence of neutrals. AIA will adhere to these guidelines.

c. Individuals selected for mediator assignment and training should possess a special blend of experience, personality traits and skills to ensure their effectiveness. In order to remain effective following training as outlined in AFI 51-1201, para. 22.2, mediators need to employ their acquired skills on a regular basis. ADR Champions should therefore appoint the number of mediators necessary to ensure that each has an opportunity to serve at least once per quarter, and preferably more often.

## **B. ADR Case Selection Criteria**

The ADRA of 1996 and AFI 51-1201 identifies disputes that are appropriate/eligible for ADR and identifies certain situations or conditions which would typically preclude the use of ADR.<sup>3</sup> ADR Champions and other dispute management offices will follow these guidelines when advising employees and managers on the proper vehicle for resolving their complaints. Use of ADR *may not* be appropriate when considering one of the below issues in controversy:

1. A definitive and authoritative decision is needed as a precedent.
2. The matter involves significant issues of Government policy and ADR will not assist policy development.
3. Maintaining established policy and avoiding variations in implementation is of special importance.
4. The matter significantly affects non-parties.
5. A full public record of the proceeding or resolution is important.
6. The agency must maintain continuing jurisdiction over the matter with the right to alter the resolution as circumstance demands.

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<sup>3</sup> See 5 U.S.C. § 572(b).

In addition, other cases may be inappropriate for ADR, based on the type of case or particular facts and circumstances. Refer to AFI 51-1201, para. 21, for guidance in screening cases for ADR suitability. In all cases, screening to determine whether a dispute is appropriate for ADR must be accomplished before an unconditional offer of ADR is made (Ref: AFI 51-1201, para. 21.3).

### **C. ADR Program Education and Training**

The Air Force ADR program office will, upon request of the AIA ADR Champion and to the extent resources permit, provide ADR program education and training. Requests for ADR Awareness training will be submitted to the AIA ADR Champion. Units requesting mediation training will use the elements in Atch 6 to request this training.

#### **1. Awareness Education**

The AIA ADR Champion will work through SAF/GCD to secure resources (if available) and arrange for AIA personnel to receive ADR awareness education. Such ADR awareness education should be provided to commanders, supervisors, managers, and other military and civilian personnel. The purpose of ADR awareness education is to increase overall understanding and acceptance of the ADR process and when its use is appropriate, rather than providing specific skills training for individuals to actually perform as workplace dispute mediators. All ADR awareness education will, at a minimum, ensure attendees:

- a. Understand Air Force policy and its rationale;
- b. Understand what ADR is and how it can assist them in resolving disputes in a consensual, non adversarial manner;
- c. Understand the potential of ADR to resolve the issues underlying a dispute;
- d. Understand the potential of ADR to achieve time and cost savings by providing conflict management tools necessary to resolve disputes at the earliest possible time;
- e. Discuss the benefits of confidentiality in mediation proceeding; and
- f. Understand not all disputes are appropriate for resolution through ADR.

#### **2. Mediator Skills Training**

a. As a general rule, only those individuals appointed by the ADR Champion to be mediators at each designated location should receive mediator skills training. On a case-by-case basis, others may be nominated to receive such specific mediator skills training in order to enhance their contribution to the workplace dispute ADR program.

b. Mediator-skills training is normally centrally funded by the SAF/GCD. It requires the Agency ADR Champion to secure written approval and commitment from the supervisor of all nominees for mediation training that is consistent with the following:

1) Attend the 32-hour basic mediation training that is consistent with the guidance provided in the Air Force Mediation Compendium;

2) Strive to maintain and improve their mediation skills, by activities such as keeping abreast of new developments by reading newsletters, journals, web sites, etc, or attending locally available training, for 24 months after completion of the Basic Mediation Course. Furthermore, mediators are required by EEOC regulations to obtain eight hours of refresher training at least every 12-months in order to remain current and effective;

3) Strive to attend regular mediator training meetings scheduled by the ADR Champion that will provide training on topics such as improving communication skills; mediator ethics; various complaint systems; role-playing; improving parts of mediation (e.g., opening statements; what to listen for in parties' statements; moving to caucus; identifying impasses; overview of personnel policies and procedures, and points of contact); and

4) If requested, attend the Civilian Personnel School Advanced Mediation Course or Defense Equal Opportunity Management Institute (DEOMI) Mediation Course. Where mediator training, meeting the standards of the AF ADR program, is available at no cost or when SAF/GCD is unable to support central funding, organizations may locally obtain and fund such training without prior approval of SAF/GCD.

#### **D. Settlement Agreements**

1. AIA policy strongly encourages the formation of settlement agreements arrived at through the use of ADR techniques. Not all workplace issues or problems become workplace "disputes". Similarly, settlement agreements involving workplace issues *may* be simple oral understandings (a "handshake"). However, if an individual has invoked a written workplace dispute process (e.g., filed an EEO informal complaint, filed an informal grievance under the Agency AGS, etc.,) the settlement agreement must be in writing and signed by the parties.

2. In order to ensure that such written settlement agreements are legally valid, enforceable, and/or do not conflict with any regulatory requirements, CPO, EEO, and JA will review each written settlement agreement. Final technical reviews will only address the technical acceptability of the provisions and do not provide the opportunity to judge the wisdom, quality or value of the settlement agreement. JA review is for legal sufficiency. CPO and/or EEO review is to ensure compliance with applicable personnel rules, policies, and regulations/instructions.

3. CPO coordination with the Air Force Personnel Center (AFPC) may also be necessary if a settlement concerns a specific action for which AFPC is responsible. Caution should be exercised in coordinating agreements long distance to protect the confidentiality of the involved parties and to safeguard documents. JA, CPO, and EEO review/coordination should normally occur before the

conclusion of the ADR process, (i.e. before a settlement agreement is actually signed by the parties to avoid any potential compliance problems), but not later than three workdays following the ADR process.

## **E. ADR Program Assessment**

### **1. ADR Program Metrics**

To ensure that the ADR Program goals are clearly defined and accurately measured, the ADR Champion will utilize the following metrics to quantify/evaluate program performance. Data and metrics are gathered for informational purposes and to assist in resource allocation planning, and shall not be used to compare individual Wing, Center, or Directorate ADR programs.

#### **a. ADR Attempt Rates**

Analyzes each Wing's, Center's, and Directorate's performance relative to the previous year. The goal is to attempt ADR in at least 50% of the aggregate of eligible disputes. The desired trend is to increase attempt rates until ADR is attempted in approximately all disputes where appropriate. Separate percentage goals may be established for specific categories of disputes (e.g., EEO complaints or grievances). These rates will be identified as the program matures and this metric is modified accordingly (Ref: AFI 51-1201, para. 38.1).

#### **b. ADR Resolution Rates**

Analyzes the number of disputes resolved through ADR. The goal is to resolve at least 70% of the disputes in which ADR is attempted. The resolution percentage should increase over time until reaching the maximum reasonable level; however, ADR Champions must ensure that the resolution rate goal is not used to improperly pressure parties into settlements. This level will be identified as the program matures and this metric is modified accordingly (Ref: AFI 51-1201, para. 38.2).

#### **c. Timeliness of ADR Resolutions**

Analyzes the average number of days required to begin and complete an ADR process (e.g., "at Wing X, we processed our ADR cases in an average of 32 days.") The goal for this metric is an average of 45 calendar days or less (Ref: AFI 51-1201, para. 38.3).

#### **d. Quality Assurance**

Measure customer satisfaction regarding the provision of ADR services to ensure the quality of the services provided and the competence of the neutrals providing those services. The goal is to achieve an overall rating of "satisfied" or better for the ADR process employed from at least 80% of the respondents, and an overall rating of "good" or better for the neutral from at least 80% of the respondents, during the measuring period. See Atch 5 (Ref: AFI 51-1201, para. 38.4 and Atch 3).

## **2. Annual Reports**

The ADR Champion will maintain records, and will prepare and submit reports of ADR data for AIA-supported organizations, including performance metrics, as requested by SAF/GCD, IAW AFI 51-1201, para. 39. Reports will be submitted via the medium designated by SAF/GCD in its request. These reports will be coordinated with CPO and JA, before submitting them to SAF/GCD.

## **3. Quality and Evaluation of Neutrals**

a. The ADR Champion will ensure the parties to each ADR proceeding are provided ADR evaluation forms (Atch 3) to complete (voluntarily and anonymously if they so choose) and give to the neutral or the ADR Champion or designee following the termination of the proceeding. The ADR Champion will collect, review, and summarize these evaluations from the neutrals and will use this information to ensure the quality of the services provided by ADR neutrals remain high.

b. Unless otherwise provided for by local agreement, any complaints or problems with a specific mediator should be directed to the ADR Champion for appropriate consideration and action (Ref: AFI 51-1201, para. 40).

c. Any complaints or problems with an outside third-party neutral under contract with the Air Force should be directed through the ADR Champion to the Air Force ADR Program Office for appropriate consideration and action.

Note: The ADR Champion will perform the above ADR Program assessment and report functions when it is not practicable to appoint a Wing, Center, or Directorate ADR Champion and/or Functional Area Manager.

Appendix 1. Agency Plan Rollout and Implementation. Below identifies key actions that serve as a guide for Agency program implementation.

***TARGET PLAN ROLLOUT AND IMPLEMENTATION***

- A. AIA/CC appoint ADR Champion (ECD: 20 Apr 05) - Complete**
- B. AIA/CC issue an ADR Policy Statement (ECD: 15 Aug 05) - Pending**
- C. AIA/CC approve of AIA ADR Plan (ECD: 15 Aug 05) - Pending**
- D. Wing/Center CCs/Directors appoint local Functional Area Managers (FAM) (ECD: 31 Aug 05)**
- E. ADR Champion compiles/distributes a list of FAMs and their contact information (ECD: 15 Sep 05).**
- F. FAMs develop local ADR procedures, if applicable (ECD: 30 Sep 05)**
- G. Wing/Center CCs/Directors issue written ADR policy (ECD: 31 Aug 05)**
- H. Wing/Center CCs/Directors appoint current collateral duty mediators/neutrals, if applicable (ECD: N/A)**
- I. ADR Champion arranges Mediator Refresher Training (ECD: 30 Sep 05)**
- J. ADR Champion arranges Basic Mediation Training (ECD: 30 Sep 05)**
- K. ADR Champion arranges Advanced Mediation Training (ECD: N/A)**
- L. ADR Champion arrange to provide ADR Awareness Training (GCD will provide suggested materials) (ECD: 30 Oct 05)**
- M. Incorporate ADR Awareness Training into Local Training Courses, e.g. Supervisory and new employee training/orientation (ECD: FY05)**
- N. Follow-up briefings by ADR Champion with Commanders within 90 Days (ECD: 30 Oct 05)**
- O. Conduct Program Assessment (e. g. fiscal year end review/reports) (ECD: 30 Sep 05)**

## **Appendix 2. ADR Resources**

Air Force ADR Program Website: <http://www.adr.af.mil>

Air Force ADR Compendium: <http://www.adr.af.mil/compendium/>

AIA ADR Program Website: <https://aiaweb.lackland.af.mil/homepages/cc/ccd/>

## **Attachment 1 - SAMPLE ADR CHAMPION APPOINTMENT LETTER**

Date

MEMORANDUM FOR

FROM: 123 ABW/CC

SUBJECT: Appointment as ADR Champion, \_\_\_\_\_ AFB

1. In accordance with AFI 51-1201, Alternative Dispute Resolution in Workplace Disputes, paragraph 11.2, you are hereby appointed ADR Champion at \_\_\_\_\_ AFB \_\_\_\_\_. This appointment shall be effective until withdrawn in writing or superseded.
2. As ADR Champion, you will exercise the functions and responsibilities set forth in AFI 51-1201, paragraph 12 with respect to workplace disputes occurring at \_\_\_\_\_ AFB or otherwise under the appointing authority or administrative jurisdiction of the 123 ABW/CC, \_\_\_\_\_ AFB.
3. [If applicable] 123 ABW/CC Ltr, (date), same subject, is hereby superseded.

XXXXXXXXXXXXX  
Maj Gen, USAF  
Commander

cc:  
SAF/GCD  
ACC/DPCW  
123 ABW/DP  
123 ABW/CCD



**Attachment 2 - SAMPLE COLLATERAL DUTY MEDIATOR  
APPOINTMENT LETTER**

Date

MEMORANDUM FOR

FROM: 123 ABW/CC

SUBJECT: Appointment as Collateral-Duty Mediator, \_\_\_\_\_ AFB

1. In accordance with AFI 51-1201, Alternative Dispute Resolution in Workplace Disputes, paragraph 22.3, you are hereby appointed to serve as a collateral-duty mediator at \_\_\_\_\_ AFB \_\_\_\_, for a period no less than 24 months [or 12 months if at an overseas base] from the date of this letter, unless sooner relieved, in writing, by proper authority.
2. Mediation duties shall occupy no more than 20 percent of your official duty time. Specific case assignments will be made by the ADR Champion for \_\_\_\_\_ AFB.

XXXXXXXXXXXXX  
Maj Gen, USAF  
Commander [or designee]

cc:  
ADR Champion  
123 ABW/DP  
123 ABW/CCD

### Attachment 3 - SAMPLE ADR EVALUATION FORM

<b>Date Parties Agreed to Use ADR:</b> _____ <b>Date ADR Completed:</b> _____  <b>Time ADR Started:</b> _____ <b>Time ADR Ended:</b> _____	<b>ADR Number (if any):</b> _____  <b>Neutral:</b> _____
--	--

1. What was your role in the case? ( ) **Employee** ( ) **Union** ( ) **Agency** ( ) **Other (please specify)** \_\_\_\_\_

2. How would you compare the amount of time taken to resolve this case using the ADR process compared with what you believe would have been required if a formal dispute resolution had been used to resolve this dispute? ADR was:

( ) **Significantly faster** ( ) **Somewhat faster** ( ) **Same amount of time** ( ) **Somewhat slower** ( ) **Significantly slower**

3. **ADR PROCESS** - The following questions concern your experience with the ADR Process. Please tell us how satisfied you were with each of the following features of the process. (For each feature, check the column corresponding to your opinion)

Feature	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
1. Amount of information you received about the process.					
2. Amount of control you had over the process.					
3. Opportunity to present your side of the dispute.					
4. Fairness of the process.					
5. Overall outcome of the process.					
6. Speed with which the dispute was resolved.					
7. Outcome of the process compared to what you expected it to be before it took place.					
8. Overall, how satisfied were you with the ADR process?					

4. **Mediator/Facilitator:** Please take a moment to evaluate your mediator/facilitator using the following chart.

	Excellent	Good	Average	Fair	Poor
1. <b>Neutrality</b> (Did the mediator/facilitator have the appearance of impartiality, without favoritism or bias?)					
2. <b>Communication</b> (How well did the mediator/facilitator facilitate communication between the parties?)					
3. <b>Managing the ADR Process</b> (Did the mediator/facilitator effectively handle conflicts, suggest movement ideas, propose problem-solving solutions?)					
4. <b>Patience</b> (Did the mediator/facilitator devote the necessary time and attention to the parties to keep the process moving without appearing to rush or be in a hurry to complete the process?)					
5. <b>Expertise</b> (Did the mediator/facilitator demonstrate the necessary expertise to mediate this type of dispute?)					
6. <b>Facilitative Abilities</b> (Did the mediator/facilitator ask relevant questions to seek out pertinent information and keep the process moving forward?)					
7. <b>Overall Ability of the Mediator/Facilitator in General</b>					

5. Outcome of the Mediation (Please check one): ( ) **Full Settlement** ( ) **Partial Settlement** ( ) **Did not Settle**

6. Would you recommend this process? ( ) **Yes** ( ) **No**

7. Would you recommend this Mediator/Facilitator for future mediations? ( ) **Yes** ( ) **No**

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Attachment 4 - [Your Base] ADR Mediator's Survey Form

**INSTRUCTIONS:** Please complete this form upon closing your case. Mail completed form to the [Your Base] ADR Office, [Organization Name and Address] or fax to [Fax number].

1. Case Number: \_\_\_\_\_

2. Parties: \_\_\_\_\_  
Complainant Respondent

\_\_\_\_\_  
Representative/Union Steward

3. Date and location of mediation: \_\_\_\_\_

4. Type of dispute: \_\_\_\_\_

5. Outcome:  
Settled \_\_\_\_ Partial settlement \_\_\_\_ Not settled \_\_\_\_

6. Number of hours spent mediating \_\_\_\_\_

7. If the case was not settled, please indicate why do you believe this occurred?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Was mediation appropriate for this case? Yes \_\_\_\_ No \_\_\_\_  
If no, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Any other comments?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Telephone

## Attachment 5 -[Your Base] ADR Client's Survey Form

**INSTRUCTIONS:** Please fill out this form upon completion of mediation. Individual comments are requested. Mail completed form to the [Your Base] ADR Office, [Organization] (ADR), [Address] or fax to [Fax number].

1. Case Number:

2. Mediator:

3. Case results:

Settled \_\_\_\_ Partial settlement \_\_\_\_ Not settled \_\_\_\_

4. Satisfaction with the process.

If mediation produced a settlement or partial settlement, please circle the most accurate response:

	Excellent	Very Satisfied	Satisfied	Neutral	Dissatisfied
Time Savings (was the case timely and did we save time)	5	4	3	2	1
Money Savings	5	4	3	2	1
Effectiveness of the mediators neutrality	5	4	3	2	1
Impact on relationship between parties	5	4	3	2	1
Outcome of the case	5	4	3	2	1
Overall Opinion of the ADR Process	5	4	3	2	1

5. Was money saved as a result of conducting this mediation?

Yes \_\_\_\_ No \_\_\_\_ Don't know \_\_\_\_ Not applicable \_\_\_\_

**If you answered yes and can identify dollar savings, please state the amount saved and the basis for this determination:**

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**6. If the case was not settled, why do you believe this happened?**

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**7. Would you mediate again? Please explain.**

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**8. Did the mediator remain neutral? Please explain.**

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**9. Was the mediator able to facilitate communication between the parties? Please explain.**

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**10. Would you recommend this mediator for use in other mediations? Explain why.**

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**11. Did the mediator maintain effective control of the process?**

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**12. Any other comments?**

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\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Telephone**

**Attachment 6 - *NOMINATION FORM FOR BASIC MEDIATION COURSE,*  
12 – 15 April 2005**

**I. BACKGROUND INFORMATION**

- |                          |                 |
|--------------------------|-----------------|
| 1. Name: _____           | 2. Title: _____ |
| 3. Organization: _____   | 4. Rank: _____  |
| 5. Phone: _____          | 6. Fax#: _____  |
| 7. E-Mail Address: _____ | 8. SSAN: _____  |

**II. Information to Facilitate Fund Cite Issuance**

1. To help with future funding we are requesting nominee travel information. The travel information is only for budgeting *and will have no bearing on the ranking and selection of nominees*. All fees are centrally funded by AU. Please indicate your mode of travel, i.e., Auto or Air (cost): \_\_\_\_\_

**III. OPPORTUNITY FOR NOMINEE TO USE MEDIATION SKILLS**

1. Types of workplace disputes for which nominee will utilize ADR/Mediation skills.

- |                          |                                |
|--------------------------|--------------------------------|
| a. __ EEO Complaints     | b. ____ Grievances             |
| c. __ MSPB Matters       | d. ____ Unfair Labor practices |
| e. __ Union Negotiations | f. ____ Other                  |

2. Number of disputes handled in nominee's area of responsibility in FY 04/05:

**Total:** \_\_\_\_\_ **Contacts:** \_\_\_\_\_ **Informal Complaints;** \_\_\_\_\_ **Formal Complaints**

3. Other relevant information about nominee's opportunism to use mediation skills:

**IV. QUESTIONS FOR NOMINEE:**

1. Why do you want to become a mediator?
2. What value or special skills do you possess that will enhance the ADR Program?
3. Why should you be selected as an Air Force Mediator?

## V. QUALIFICATIONS OF NOMINEE

Successful mediators possess special skills, and abilities. The nominee's supervisor must agree in writing below that the nominee has the ability to do all of the following:

- \_\_\_\_\_ glean and analyze information from disputants in real-time;
- \_\_\_\_\_ listen actively;
- \_\_\_\_\_ suspend judgment;
- \_\_\_\_\_ maintain neutrality;
- \_\_\_\_\_ maintain composure under pressure;
- \_\_\_\_\_ exhibit patience;
- \_\_\_\_\_ facilitate communication between disputants;
- \_\_\_\_\_ facilitate the development of options for resolution of disputes; and
- \_\_\_\_\_ draft clearly-worded, grammatically correct, settlement agreements; and

As the supervisor of \_\_\_\_\_, I believe that the Nominee for the Basic Mediation Course, has demonstrated the ability to do each of the foregoing:

NAME/GRADE/TITLE OF SUPERVISOR

Date

## VI. NOMINEE'S PLEDGE

I have discussed the foregoing with my supervisor and with the his support make the following pledge to:

- Attend the 32 hour Air Force Basic Mediation Course;
- Strive to maintain and improve my mediation skills for a minimum of 24 months after completion of the Air Force Basic Mediation Course;
- Provide Mediator services as requested by the Installation Program Manager (s) in specific dispute areas for a minimum of 24 months after completion of the Air Force Basic Mediation Course;

- Attend EEO training for the purpose of becoming familiar with EEO laws regulations, and procedures as a Mediator for EEO complaints;
- Strive to attend regular mediator training meetings scheduled by the Installation ADR Program Manager(s) who will provide training on topics such as improving communication skills; mediator ethics; various complaint systems; terms of the union contract; interest-based bargaining techniques; role-playing; improving parts of mediation (i.e. opening statements, what to listen for in parties' statements, moving to caucus, identifying impasse, etc.), overview of personnel policies, procedures and POCs, etc; and
- If requested, attend the Air Force Advanced Mediation Course.

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***Nominee***

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**Date**